

DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Recombinant Multivalent Viral Vaccine

of which was filed on November 3, 1995 as Application Serial No. 08/552,369.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

104090-18617.0016

| PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120: | | | | | |
|---|--------------------|--|--------------------|-----------|--|
| U.S. APPLICATIONS | | | STATUS (Check one) | | |
| U.S. APPLICATIONS | U.S. FILING DATE | Patented | Pending | Abandoned | |
| 1. 08/190,789 | January 27, 1994 | | X | | |
| 2. 07/726,609 | July 9, 1991 | | | X | |
| 3. 0 / | | | | | |
| PCT APPLICATIONS DESIGNATING THE U.S. | | | | | |
| PCT APPLI- CATION NO. | PCT FILING DATE | U.S. SERIAL NOS. ASSIGNED (if any) | | | |
| 4. _____ | | | | | |
| 5. _____ | | | | | |
| 6. _____ | | | | | |

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| | |
|--------------------|-----------------|
| Edwin T. Bean, Jr. | Reg. No. 16,639 |
| Martin G. Linihan | Reg. No. 24,926 |
| James C. Simmons | Reg. No. 28,474 |
| Michael F. Scalise | Reg. No. 34,920 |
| M. Bud Nelson | Reg. No. 35,300 |

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

09673881-060401

Full name of sole or first inventor: Fred W. Scott

Inventor's Signature: Fred W. Scott

Date: 12/15/95

Residence: 337 Hartford Rd., Brooktondale, NY 14817

Citizenship: U.S.A.

Post Office Address: Same as above

Full name of second inventor: Christopher K. Ngichabe

Inventor's Signature: ~~Christopher K. Ngichabe~~

Date: 1/3/96

Residence: KARI, NVRC MUGUGA, Box 32 KIKUYU, KENYA

Citizenship: KENYAN

Post Office Address: Same as above

Full name of third inventor: Liangbiao Hu

Inventor's Signature: Liangbiao Hu

Date: 12/18/95

Residence: 2915 N. Calvert st. 3R. Baltimore, MD 21218

Citizenship: P.R. China

Post Office Address: Same as above

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(716) 856-4000

09873381.060401

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Attorney Docket Number 18617.0016

First Named Inventor Scott et al.

COMPLETE IF KNOWN

Application Number 08/552,369

Filing Date November 3, 1995

Group Art Unit 1648

Examiner Name L. Scheiner

☐ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RECOMBINANT MULTIVALENT VIRAL VACCINE

the specification of which
is attached hereto
OR

(Title of the Invention)

was filed on (MMDDYY) 11/03/95 as United States Application Number or PCT International Application Number 08/552,369 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application (Numbers) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |
|-----------------------|--------------------------|--|
| | | |

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|---------------------------------|--------------------------------------|
| | | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number
OR



Place Customer
Number Bar Code
Label Here

☒ Registered practitioner's name/registration number listed below

| Name | Registration Number | Name | Registration Number |
|-------------------|---------------------|--------------------|---------------------|
| Ranjana Kadle | 40,041 | R. Kent Roberts | 40,786 |
| Martin G. Linihan | 24,926 | Michael F. Scalise | 34,920 |
| Kevin D. McCarthy | 35,278 | Daniel C. Oliverio | 33,435 |
| David L. Principe | 39,336 | Edwin T. Bean, Jr. | 16,639 |

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto

Direct all correspondence to: ☐ Customer Number
or Bar Code Label

OR ☒ Correspondence address below

| | | | | | |
|---------|--|-----------|----------------|-----|----------------|
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Name of First and Joint Inventor:

☐ A petition has been filed for this unsigned inventor

| | | | | | |
|--|-----------------------|------------------------|---------|--------|----------------|
| Given Name (first and middle [if any]) | | Family Name or Surname | | | |
| Joseph J. | | Esposito | | | |
| Inventor's Signature | | | | Date | 6/28/99 |
| Residence: City | Atlanta | State | Georgia | County | Citizenship US |
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| Country | US | | | | |

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.